



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,204	02/20/2001	Mari Saito	203391US6	3961

22850 7590 12/02/2009  
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
----------

PULLIAM, CHRISTYANN R

ART UNIT	PAPER NUMBER
----------	--------------

2165

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

12/02/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/785,204	<b>Applicant(s)</b> SAITO ET AL.	
	<b>Examiner</b> Christyann RF Pulliam	<b>Art Unit</b> 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Response to Amendment***

1. Claims 1-20 are pending as amended on September 22, 2009. Claims 1-2, 5, 7-10, 15-16 and 19 are currently amended. Claims 3-4, 11-14, 17-18 and 20 are previously presented. Claim 6 is original.

2. New grounds of rejections necessitated by the amendments are provided.  
Therefore, this action is FINAL.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Eric Horvitz et al., *The Lumiere Project: Bayesian User Modeling for Inferring the Goals and Needs of Software Users*, Proceedings of the 14th Conference on Uncertainty in Artificial Intelligence, July 1998, pages 256-265 (hereinafter Horvitz).

As for Claim 1, Horvitz teaches:

An information processing apparatus comprising:

an acquisition device configured to acquire associated information corresponding to an occurrence of a present event using existing information corresponding to a past event (See e.g. Horvitz - sections 3.1 and 5 – monitor user actions, events, section 6.1 time-stamped observations, Figure 6 – events and words, inferences. Time stamps and inferences are associated/existing information);

an event occurrence detection device configured to detect information corresponding to the occurrence of said present event (See e.g. Horvitz – section 2 on page 257 1<sup>st</sup> column, sections 3.1 and 5 – monitor user actions, events, section 6.1 time-stamped observations);

a search device configured to search said existing information corresponding to the past event to retrieve related information having similarity to the information corresponding to the present event detected by the event occurrence detection device (See e.g. Horvitz - Figures 2-3, 7-11, sections 5, 3.1 and 3.2, 4, 6.4 and 6.5 – user actions monitored and when certain patterns are found help is offered, goals/ patterns based on modeling of past actions, the use of the Bayesian model is the search); and

a display control device configured to display said associated information corresponding to the occurrence of the present event that corresponds is related to the related information retrieved by said search device (See e.g. Horvitz – Figures 7-11 – help offered related to current actions based on needs learned patterns of past actions).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-6, 17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz, as applied to claim 1 above, in view of Shaffer et al., U.S. Patent No. 6,094,681 (hereinafter Shaffer) (also cited in prior actions).

As for Claim 2, Horvitz teaches parent Claim 1. Horvitz teaches many different events, menu selections, mouse clicks, mouse overs, scrolling, and interacting with a keyboard or video camera or microphone. Horvitz does not expressly teach the present event as detects sending, receiving, or editing of an electronic mail. However, Shaffer teaches wherein said event occurrence detection device detects sending, receiving, or editing of an electronic mail as said present event (See e.g. Shaffer column 3, lines 9-11, and column 5, lines 34-59, and Abstract - e-mail).

Horvitz and Shaffer are from the analogous art of event detection and analysis. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Horvitz and Shaffer to have combined Horvitz and Shaffer. The motivation to combine Horvitz and Shaffer is include the recognition of more events. Shaffer adds email interaction to the list of events that can be detected

Art Unit: 2165

and analyzed by both systems. Therefore, it would have been obvious to one skilled in the art to combine Horvitz and Shaffer.

As for Claim 19, Horvitz teaches parent Claim 1. Horvitz also teaches relationships between actions and saves information into a profile (See e.g. Horvitz - sections 5 and 6.3 and Figure 6). Horvitz also considers words used in queries to the help system (See e.g. Figure 7). Horvitz does not expressly teach the details of selecting “important words”. However, Shaffer also teaches wherein said existing information corresponding to said past event is an existing text file and said information corresponding to said present event detected by the event occurrence detection device is a text file (See e.g. Shaffer column 3, lines 48-64, column 4, lines 11-20), the information processing apparatus further comprising,

a selection device for selecting an important word from among words contained in said existing text file (See e.g. Shaffer column 3, lines 48-64, column 4, lines 11-20),

wherein the acquisition device acquires said associated information by using said important word selected by said selection device as said existing information (See e.g. Shaffer column 5, lines 42-65, wherein “important word” reads on “keyword”).

Horvitz and Shaffer are from the analogous art of event detection and analysis. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Horvitz and Shaffer to have combined Horvitz and Shaffer. The motivation to combine Horvitz and Shaffer is details the keyword analysis done to correlated events. Horvitz says that is uses words to make inferences about

Art Unit: 2165

events. However, Shaffer fills in the details of the common keyword frequency evaluation that can be done as part of the event analysis. Therefore, it would have been obvious to one skilled in the art to combine Horvitz and Shaffer.

As for Claim 3, Horvitz as modified by Shaffer teaches parent Claims 1 and 19. Shaffer also teaches wherein said acquisition device acquires a title and a URL of a Web page containing said important word as the associated information (See e.g. Shaffer column 6, lines 35-59, and column 6, lines 13-22).

As for Claim 4, Horvitz as modified by Shaffer teaches parent Claims 1 and 19. Shaffer wherein said acquisition device acquires, in a predetermined timed relation, said associated information related to said important word selected by said selection device (See e.g. Shaffer column 7, lines 41-67, wherein “timed relation” reads on “scheduling reminders”, and abstract). Horvitz also teaches timed relations (See e.g. Horvitz – sections 4 and 5).

As for Claim 17, Horvitz teaches parent Claim 1. Horvitz teaches grouping events by time and goals and tasks. Horvitz teaches grouping by attribute (time) and detecting patterns and similarities (See e.g. Horvitz – sections 3.1, 4, 5, 6.1, 6.2) and displaying related information (help) (See e.g. Horvitz – Figures 7-11). However, Shaffer more clearly teaches further comprising: a grouping device configured to group said existing information into a group of existing information based upon attribute

Art Unit: 2165

information of said existing information(See e.g. Shaffer column 3, lines 48-64, also see Shaffer column 4, lines 11-20), wherein said acquisition device acquires the associated information related to said group of existing information made by said grouping device as said existing information (See e.g. Shaffer column 8, lines 26-30, also see Shaffer column 8, lines 56-67, and Shaffer column 9, lines 28), said search device searches for said group of existing information as said existing information having similarity to information corresponding to the present event detected by the event occurrence detection device (See e.g. Shaffer column 3, lines 48-64), and the display control device controls displaying of said associated information related to said group of existing information as said existing information retrieved by said search device (See e.g. Shaffer column 2, lines 60-67, and Shaffer column 3, lines 1-11).

Horvitz and Shaffer are from the analogous art of event detection and analysis. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Horvitz and Shaffer to have combined Horvitz and Shaffer. The motivation to combine Horvitz and Shaffer is details the keyword analysis done to correlated events. Horvitz says that is uses words to make inferences about events. However, Shaffer fills in the details of the common keyword frequency evaluation that can be done as part of the event analysis. Therefore, it would have been obvious to one skilled in the art to combine Horvitz and Shaffer.



7. Claims 18, 20 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz in view of Shaffer, as applied above to claims 1 and 17, in further view of Hazlehurst et al., U.S. Patent No. 5,974,412 (hereinafter Hazlehurst).

As for Claim 18, Horvitz as modified by Shaffer teaches parent claims 1 and 17. Horvitz does not expressly teach weighting keywords. However, Hazlehurst teaches:

a weight calculation device configured to calculate the weight of key words contained in each said group of existing information (See e.g. Hazlehurst - col. 9, lines 7-41),

a selection device configured to select an important word among said key words based upon said weight of key words (See e.g. Hazlehurst - col. 7, lines 7-51, col. 8, lines 15-31 col. 9, lines 7-41, col. 19, lines 35-60, col. 21, lines 40-52, col. 24, line 50- col. 25, line 14),

wherein said acquisition device acquires said associated information related to said group of existing information using said important word selected by said selection device (See e.g. Hazlehurst - col. 9, lines 7-41 - author, source, and other meta-features).

The motivation to combine Horvitz and Shaffer is above with claims 1 and 17. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Horvitz as modified by Shaffer by the teaching of Hazlehurst. Hazlehurst details ways in which keywords can be weighted which would add a higher

Art Unit: 2165

level of precision to the systems of Horvitz and Shaffer. Therefore, it would have been obvious to one skilled in the art to combine Horvitz and Shaffer and Hazlehurst.

As for Claim 20, Horvitz as modified by Shaffer teaches parent Claim 1. Horvitz also teaches recording information about the event and storing it. However, Hazlehurst more clearly teaches further comprising: an extraction device configured to extract attribute information from the existing information (See e.g. Hazlehurst- col. 2, lines 1-15, col. 4, lines 48-60, col. 7, lines 7-51 col. 9, lines 7-41- author, source, and other meta-features); and a database construction device configured to construct a database by use of at least one of said attribute information extracted by said extraction device and said associated information acquired by said acquisition device (See e.g. Hazlehurst- col. 7, lines 7-60 – storage system and indices, col. 8, lines col. 8, lines 15-31, col. 9, lines 7-41 – index and master dictionary).

The motivation to combine Horvitz and Shaffer is above with claims 1 and 17. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Horvitz as modified by Shaffer by the teaching of Hazlehurst. Hazlehurst details ways in which keywords can be weighted which would add a higher level of precision to the systems of Horvitz and Shaffer. Hazlehurst also gives examples of the ways that the data used by all the system can be stored. Therefore, it would have been obvious to one skilled in the art to combine Horvitz and Shaffer and Hazlehurst.

As for Claim 5, Horvitz as modified by Shaffer and Hazlehurst teaches parent claims 1 and 20. Horvitz also teaches further comprising: update means for updating said database constructed by said database construction device when an update condition is satisfied. (Horvitz – updating and conditions/variables– section 4, 6.3, 6.4, 3.2 database/data structures – Figure 3, sections 6, 3.1). Shaffer also teaches this (See e.g. Shaffer column 4, lines 11-67). Hazlehurst also teaches this (See e.g. Hazlehurst – col. 9, lines 22-42).

As for Claim 6, Horvitz as modified by Shaffer and Hazlehurst teaches parent claims 1 and 20 and 5. Horvitz also teaches wherein said update condition can be set by a user (See e.g. Horvitz – page 264, col. 1 – threshold set by user). Shaffer also teaches this (See e.g. Shaffer column 4, lines 11-67).

8. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazlehurst et al., U.S. Patent No. 5,974,412 (hereinafter Hazlehurst) in view of Shaffer.

As for Claims 7 and 8, Hazlehurst teaches:

An information processing method/instructions:

extracting attribute information from an existing text file (See e.g. Hazlehurst- col. 2, lines 1-15, col. 4, lines 48-60, col. 7, lines 7-51 col. 9, lines 7-41- author, source, and other meta-features);

extracting existing keywords from among words contained in said existing text file(See e.g. Hazlehurst- col. 7, lines 7-51, slurpees, col. 8, lines 15-31, col. 9, lines 7-41);

computing weights for said existing keywords based on use of occurrence frequency in the text file(See e.g. Hazlehurst- col. 9, lines 7-41 weighting based on word frequency in document) and

acquiring associated information for an important keyword of the existing keywords having a weight higher than a predetermined threshold (See e.g. Hazlehurst- col. 7, line 7- col. 8, line 12-31, col. 9, lines 7-41, col. 19, lines 35-60, col. 21, lines 40-52, col. 24, line 50- col. 25, line 14, claim 44);

constructing a database by associating the important word with at least one of said attribute information extracted in the extracting step and said associated information acquired in the acquiring step (See e.g. Hazlehurst- col. 7, lines 7-60 – storage system and indices, col. 8, lines col. 8, lines 15-31, col. 9, lines 7-41 – index and master dictionary);

Hazlehurst uses database to correlate documents, users and objects, as well as events and feedback. Hazlehurst teaches world events (See e.g. Hazlehurst – col. 14, lines 35-62) but does not expressly teach user interactions as events. However Shaffer more clearly teaches:

detecting an occurrence of said event (See e.g. Shaffer column 2, lines 24-37);

detecting an event keyword from said text file corresponding to said event detected in the event occurrence detecting step (See e.g. Shaffer column 3, lines 48-64);

searching said database constructed in the database constructing step to retrieve said associated information corresponding to said event keyword detected in the event keyword detecting step See e.g. Shaffer column 2, lines 38-59); and

controlling displaying of said associated information retrieved in the searching step (See e.g. Shaffer column 2, lines 60-67, and Shaffer column 3, lines 1-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Shaffer by the teaching of Hazlehurst. Hazlehurst details ways in which keywords can be weighted which would add a higher level of precision to the system of Shaffer. Hazlehurst also gives examples of the ways that the data used by all the system can be stored. Therefore, it would have been obvious to one skilled in the art to combine Shaffer and Hazlehurst.

Art Unit: 2165

9. Claims 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Horvitz, in further view of Kirsch et al., U.S. Patent No. 6,070,158 (hereinafter Kirsch).

As for Claim 9, Shaffer teaches:

a processing detection device configured to detect, as an event, predetermined processing of said predetermined application program (See e.g. Shaffer column 4, lines 10-5, column 6, lines 56-59);

a key word detection device configured to detect key words from said text file processed by said predetermined application program corresponding to said event detected by said processing detection device (See e.g. Shaffer column 3, lines 48-64, column 4, lines 11-20);

... by searching a database for a previously processed existing file corresponding to said important key word (See e.g. Shaffer column 2, lines 38-59);

an input device configured to input a command (See e.g. Shaffer column 10, lines 31-33);

a command processing device configured to execute, in response to said command inputted by said input device, processing on said associated information(See e.g. Shaffer column 10, lines 31-40); and

a display control device configured to display, in response to said event detected by said processing detection device (See e.g. Shaffer column 2, lines 60-67, and Shaffer column 3, lines 1-11).

Shaffer does not expressly teach an animated agent. However, Horvitz teaches: an information processing apparatus for displaying an animated agent on a display device and for displaying associated information related to a text file processed by a predetermined application program (See e.g. Horvitz – Figure 11 and Section 7, page 257 col. 1, section 3.1, 5, 6.3, Figures 7-9);

said animated agent onto said display device and changing a manner of displaying said character animated agent in response to said command inputted by said input device (See e.g. Horvitz – Figures, 7-9, 11 and Sections 6.2 and 7).

Shaffer teaches key word searches. Shaffer does not expressly teaches means for computing weights for said key words based on use of occurrence frequency in the text file, and searching for said associated information for an important key word of the keywords having a weight higher than a predetermined threshold. However, Kirsch teaches means for computing weights for said key words based on use of occurrence frequency in the text file, and searching for said associated information for an important key word of the keywords having a weight higher than a predetermined threshold (See e.g. Kirsch - col. 10, lines 16-45 - frequency, threshold, contextual significance and col. 17, line 25- col. 18, line 45 – score based on frequency, terms counts, groups, subgroups, weights).

Shaffer and Kirsch are from the analogous art of search processing. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Shaffer and Kirsch to have combined Shaffer and Kirsch. The motivation to combine Shaffer and Kirsch is expand the elements analyzed in a

Art Unit: 2165

document and used to score the relevance of said document. Due to the overlapping search subject matter, it would have been obvious to one skilled in the art to combine Shaffer and Kirsch.

As for Claim 10, Shaffer as modified by Horvitz and Kirsch teach parent Claim 9. Horvitz also teaches wherein said display control device also displays text information as a script of said character animated agent (See e.g. Horvitz – Figures 7- 11).

As for Claim 11, Shaffer as modified by Horvitz and Kirsch teach parent Claims 9-10. Horvitz also teaches further comprising an output device configured to output a voice signal corresponding to said text information displayed by said display control device (Horvitz – sections 3 and 7, Figures 8-11).

As for Claim 12, Shaffer as modified by Horvitz and Kirsch teach parent Claim 9. Horvitz also teaches wherein said command processing device displays, on said display device, said associated information retrieved by said search device in an object form with respect to at least one of movement, storage, and deletion, in response to a display command inputted by said input device (See e.g. Horvitz – save – section 5, storing – section 6.3 and Figures 7-11).

As for Claim 13, Shaffer as modified by Horvitz and Kirsch teach parent Claims 9 and 12. Horvitz also teaches wherein said command processing device stores said



Art Unit: 2165

associated information in response to a storage command inputted by said input device and displays a list of the stored associated information onto said display device (See e.g. Horvitz – section 5, section 6.3 and Figures 7-11).

As for Claim 14, Shaffer as modified by Horvitz and Kirsch teach parent Claim 9. Shaffer also teaches wherein said associated information is a URL of a Web page and said command processing device starts a WWW browser so as to access said URL of said Web page as said associated information in response to an access command inputted by said input device (See e.g. Shaffer column 6, lines 13-59).

As for Claims 15 and 16, Shaffer teaches:

detecting, as an event, predetermined processing of said predetermined application program (See e.g. Shaffer column 4, lines 10-5, also see Shaffer column 6, lines 56-59);

detecting key words from said text file processed by said predetermined application program corresponding to said event detected in the processing detecting step (See e.g. Shaffer column 3, lines 48-64, also see Shaffer column 4, lines 11-20);

... searching a database for a previously processed existing file corresponding to said important key word (See e.g. Shaffer column 2, lines 38-59);

executing, in response to a command inputted, processing on said associated information retrieved in the searching step (See e.g. Shaffer column 10, lines 31-40);  
and

displaying, in response to said event detected in the processing of said detecting step (See e.g. Shaffer column 2, lines 60-67, and Shaffer column 3, lines 1-11).

Shaffer does not expressly teach an animated agent. However, Horvitz teaches: a computer to display an animated agent on a display device and to display associated information related to a text file processed by a predetermined application program (See e.g. Horvitz – Figure 11 and Section 7, page 257 col. 1, section 3.1, 5, 6.3, Figures 7-9);

said animated agent onto said display device and changing a manner of displaying said animated agent in response to said command inputted (See e.g. Horvitz – Figures, 7-9, 11 and Sections 6.2 and 7).

Shaffer teaches key word searches. Shaffer does not expressly teaches computing weights for said key words based on use of occurrence frequency in the text file, and searching for said associated information for an important key word of the keywords having a weight higher than a predetermined threshold by searching a database for a previously processed existing file corresponding to said important key word. However, Kirsch teaches computing weights for said key words based on use of occurrence frequency in the text file, and searching for said associated information for an important key word of the keywords having a weight higher than a predetermined threshold by searching a database for a previously processed existing file corresponding to said important key word (See e.g. Kirsch - col. 10, lines 16-45 - frequency, threshold, contextual significance and col. 17, line 25- col. 18, line 45 – score based on frequency, terms counts, groups, subgroups, weights).

Shaffer and Kirsch are from the analogous art of search processing. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Shaffer and Kirsch to have combined Shaffer and Kirsch. The motivation to combine Shaffer and Kirsch is expand the elements analyzed in a document and used to score the relevance of said document. Due to the overlapping search subject matter, it would have been obvious to one skilled in the art to combine Shaffer and Kirsch.

Alternatively for claims 9-16, references to Kirsch can be replaced with Hazlehurst as above with claims 7-8, 20 and 5-6.

### ***Response to Arguments***

10. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christyann RF Pulliam whose telephone number is (571)270-1007. The examiner can normally be reached on M-F 9 am-6 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Neveen Abel-Jalil can be reached on 571-272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. R. P./  
Examiner, Art Unit 2165  
November 24, 2009

/Neveen Abel-Jalil/  
Supervisory Patent Examiner, Art Unit 2165